IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 2784 OF 2005

Maruti Pandurang More .. Petitioner

Vs.

The State of Maharashtra .. Respondent

Mr. V.B. Konde-Deshmukh, APP for State.

CORAM : B. H. MARLAPALLE &
SMT. R.S. DALVI,JJ.

Date : February 21, 2006.

P.C.:

1. This is a suo motu petition registered on the basis of an application submitted by Shri Maruti Pandurang More, Convict No.C/2630 presently undergoing sentence in the Kolhapur Central Prison. He was convicted by the learned Sessions Judge in Sessions Case No.6 of 2003 for the offence punishable under Section 302 of IPC vide the order dated 15/7/2004. He had applied on 17/2/2005 for being released on furlough leave. On receipt of the said application the DIG (Prisons) Western Region had called for the reports from the concerned police station and the reports received were adverse. A copy of the statements recorded of the concerned persons ie. the witnesses and near relations of the victim have been perused by us.

2. It would be appropriate to release the petitioner on furlough leave by passing a conditional order so that he does not enter the concerned village where the witnesses have an apprehension that the petitioner might engage in some criminal acts by way of retaliation.

3. We, therefore, allow this petition and grant the petitioner furlough leave for a period of three weeks from the date of his release on the following conditions:-

(a) The petitioner shall not enter village Ashta in Taluka Valva of Sangli District during the period of furlough leave.

(b) He shall report to the Islampur Police Station every alternate day between 3 p.m. to 5 p.m. during the period of furlough leave.

(c) He shall submit solvent surety in the amount of Rs.10,000/- before being released.

3. Petition disposed off accordingly. A copy of this order be forwarded immediately to the Superintendent, Kolhapur Central Prison.

(Smt.R.S. Dalvi,J.) **(B.H. Marlapalle, J.)**